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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/581,101

08/23/2006

Kosaku Yoneyama

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EXAMINER

PASSANITI, SEBASTIANO

ART UNIT

PAPER NUMBER

3711

MAIL DATE

DELIVERY MODE

08/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/581,101	Applicant(s) YONEYAMA, KOSAKU	
	Examiner Sebastiano Passaniti	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on see detailed Office action.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8 is/are rejected.
- 7) ☒ Claim(s) 7 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/31/06; 07/02/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is responsive to communication received 05/31/2006 – application papers filed and IDS; 08/23/2006 – Oath; 07/02/2008 – IDS.

This application is a 371 of PCT/JP04/18520, filed 12/06/2004.

Drawings

The drawings were received on 05/31/2006. These drawings are acceptable to the examiner.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claims

Claims 1-9 are pending.

Following is an action on the MERITS:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Gilbert (U.S. Patent Publication 2004/0266550). As to claim 1, note metallic frame-

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shaped iron body (12) having a heel, toe, upper edge and sole and a metallic thin-walled face section with a high COR. The body (12) includes a rear wall that is shown in Figure 2 and located rearward of the threaded member (26). Note reinforced fiber member (20) placed adjacent the rear of the face. The fiber member (20) forms a closed hollow void section. At least a portion of the fiber member (20) is supported on the rear wall, as shown adjacent numeral (12) in Figure 2. As to claim 2, Figure 1 shows how the fiber member (20) forms an oblong sealed closed void section. As to claim 3, the rear wall (adjacent numeral 12) is formed integrally with sole (17). As to claim 4, a part of the rear wall (adjacent numeral 12) may be considered a metallic plate that is attached to a rear end of the sole section, as broadly as claimed. As to claim 6, note Figure 6, wherein the thickness of the fiber portion (45) appears to be thicker than another peripheral portion of the fiber member adjacent the sole member. As to claim 8, Gilbert uses carbon fiber prepeg material. The language "formed by bending a sheet" refers to a method of making the reinforced fiber member and does not have any limiting effect in this structure claim.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakanishi (U.S. Patent 4,964,640, cited by applicant). Reference is made to Figure 5. As to claim 1, a metallic frame-shaped iron head body (1) includes a heel, toe, upper edge (1a) and sole (3). Note metallic thin-walled face portion (2). Note rear wall section (8). Nakanishi includes reinforced fiber member (5) arranged to abut the rear wall of the striking face and be supported, at least indirectly, by the rear wall (8). The reinforced fiber member (5) further is formed to provide a closed hollow void section. As to claim

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2, the closed void section is oblong at least in the toe-to-heel sense. As to claim 3, the rear wall (8) is integrally formed with the sole (3). As to claim 4, a part of the rear wall (8) may be considered a metallic plate that is attached to a rear end of the sole section, as broadly as claimed. As to claim 5, the sealed closed void includes a triangular cross sectional shape when cut in a front-to-rear direction.

Claim Objections

Claims 6 and 8 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim may not depend from another multiple dependent claim. See MPEP § 608.01(n).

Allowable Subject Matter

Claims 7 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. A complete statement of "Reasons for Allowance" will be set forth at such time as this application is in condition for allowance.

Further References of Interest

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Figure 2 in Imamoto ('427). Note Figures 1 and 2 in Gilbert ('489). See Figure 5 in Gilbert ('991). Note Figure 2 in Imamoto ('381). Note the hollow portion behind the face in Sasamoto.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 571-

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272-4413. The examiner can normally be reached on Monday through Friday (6:30AM - 3:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene L. Kim can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sebastiano Passaniti/
Primary Examiner
Art Unit 3711

S.Passaniti/sp
August 26, 2008